

### **REMARKS**

Claims 1, 4, 5, 8-28, 31-35, 38-42 and 45-48 are pending in the present application. By this Amendment, claims 38, 39, 44 and 45 are canceled without prejudice or disclaimer and claims 23, 40, 47 and 48 are amended. No new matter is added by this Amendment, and this Amendment is supported fully by the Specification.

### **SUMMARY OF ACTION**

The Office Action rejects claims 38-42 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 to Cole et al. in view of GB Patent No. 2,365,966 to Hodgkinson, U.S. Patent Application Publication No. 2002/0197728 to Kaufman et al. and U.S. Patent No. 5,617,205 to Dou et al. The Office Action also rejects claim 44 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 to Cole et al. in view of GB Patent No. 2,365,966 to Hodgkinson, U.S. Patent Application Publication No. 2002/0197728 to Kaufman et al. and U.S. Patent No. 5,617,205 to Dou et al. and U.S. Patent No. 6,043,506 to Heffelfinger et al.

The Office Action objects to claim 45 as being dependent on a rejected base claim, but indicates that such claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Finally, the Office Action indicates that claims 1, 4, 5, 8-28, 31-35, and 46-48 are allowed.

Applicants gratefully acknowledge the Examiner's indication that claims 1, 4, 5, 8-28, 31-35, and 46-48 are allowable, and that claim 45 is allowable if amended as indicated above.

### **Objection to Claim 45**

The Office Action objects to claim 45 as being dependent on a rejected base claim, but indicates that such claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, the features of objected to claim 45 (and intervening claim 44) have been incorporated into independent claim 40. Given that the Office Action objected to claim 45 as being dependent upon rejected base claims, but would be allowable if rewritten in independent form

including all of the limitation of the base claim and any intervening claims, it is respectfully submitted independent claim 40 (as amended) is free of the art of record, and is in condition for allowance.

Additionally, it is respectfully submitted that all claims depending from amended independent claim 40 should be similarly allowable. Thus, it is respectfully submitted that dependent claims 41 and 42 (which the Office Action rejected) are also in condition for allowance.

### **Claim Rejections - 35 U.S.C. § 103(a)**

#### **I. Rejection of Claims 38-42**

The Office Action rejects claims 38-42 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 to Cole et al. in view of GB Patent No. 2,365,966 to Hodgkinson, U.S. Patent Application Publication No. 2002/0197728 to Kaufman et al. and U.S. Patent No. 5,617,205 to Dou et al.

By this Amendment, claims 38 and 39 are canceled without prejudice or disclaimer. It is respectfully submitted, therefore, that the rejection of claims 38 and 39 under 35 U.S.C. §103(a) is moot.

With regard to independent claim 40 and dependent claims 41 and 42, Applicants reiterate the comment set forth above that the features of objected to claim 45 (and intervening claim 44) have been incorporated into independent claim 40, and therefore independent claim 40 and the claims depending therefrom (i.e., dependent claims 41 and 42) are in condition for allowance.

#### **II. Rejection of Claim 44**

The Office Action rejects claim 44 under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent Application Publication No. 2003/0160231 to Cole et al. in view of GB Patent No. 2,365,966 to Hodgkinson, U.S. Patent Application Publication No. 2002/0197728 to Kaufman et al. and U.S. Patent No. 5,617,205 to Dou et al. and U.S. Patent No. 6,043,506 to Heffelfinger et al.

By this Amendment, claim 44 is canceled without prejudice or disclaimer. It is respectfully submitted, therefore, that the rejection of claim 44 under 35 U.S.C. §103(a) is moot.

**CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1349. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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